

### Determination of Rule's Effective Date

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

### Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a request to change the compliance time and a request to change the service bulletin reference as two separate issues.
- For each issue, state what specific change to the AD is being requested.
- Include justification (e.g., reasons or data) for each request.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 2003-NM-137-AD." The postcard will be date stamped and returned to the commenter.

### Regulatory Impact

The regulations adopted herein will not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

### Adoption of the Amendment

■ Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

### PART 39—AIRWORTHINESS DIRECTIVES

- 1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

#### § 39.13 [Amended]

- 2. Section 39.13 is amended by adding the following new airworthiness directive:

**2003-19-02 Boeing:** Amendment 39-13304. Docket 2003-NM-137-AD.

**Applicability:** Model 777 series airplanes, line numbers 1 through 412 inclusive, certificated in any category.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent cracking of the leading edge outboard slats, which could result in separation of the cove skin, structural damage or loss of the trailing edge wedge, and consequent reduced controllability of the airplane, accomplish the following:

### Inspections and Follow-On Actions

(a) For all airplanes: Within 90 days after the effective date of this AD; do a detailed inspection of the seal assemblies of the outboard leading edge slats on the wings for missing or gapped inserts; then do the applicable follow-on actions by doing all the actions per paragraphs 1. through 7. of Part 6, "Seal Insert Gap Inspection and Seal Assembly Replacement," of the Work Instructions of Boeing Alert Service Bulletin 777-57A0034, Revision 7, dated May 22, 2003 (including replacing the seal assembly, doing a cove skin inspection for cracking, doing an internal inspection for cracking, doing a slat adjustment check, repeating the cove skin and internal inspections, replacing the slat and doing a slat adjustment check). Any applicable follow-on actions must be done at the applicable time specified in Figure 1, Sheets 12 through 15 inclusive, of the service bulletin.

**Note 1:** For the purposes of this AD, a detailed inspection is defined as: "An intensive visual examination of a specific structural area, system, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at intensity deemed appropriate by the inspector. Inspection aids such as mirror, magnifying lenses, etc., may be used. Surface cleaning and elaborate access procedures may be required."

(b) For airplanes identified as "Group 4" in Boeing Alert Service Bulletin 777-57A0034, Revision 7, dated May 22, 2003: Within 500 flight cycles after the effective date of this AD; do a detailed inspection of the seal inserts of the seal assemblies of the outboard leading edge slats on the wings for undersized (incorrect diameter) seal inserts; do the applicable follow-on and corrective actions by doing all the actions per paragraphs 1. through 8. of Part 5, "Seal Insert Inspection and Seal Replacement," of the Work Instructions of the service bulletin. Any applicable follow-on actions must be done at the applicable time specified in Figure 1, Sheet 11, of the service bulletin.

**Note 2:** For airplanes identified as "Group 4" in Boeing Alert Service Bulletin 777-57A0034, Revision 7, dated May 22, 2003 (outboard slat numbers 4, 5, 10, and 11): If a seal insert has receded, when accomplishing paragraph (a) of this AD, operators should be careful not to install a repair segment prior to inspecting for an undersized diameter insert, as required by paragraph (b) of this AD.

### Corrective Actions

(c) If any discrepancy is found during any inspection required by this AD: Before further flight, do all applicable corrective actions specified in Part 1, Part 2, Part 3, Part 5, and Part 6 of the Work Instructions of Boeing Alert Service Bulletin 777-57A0034, Revision 7, dated May 22, 2003. Do the applicable corrective actions per the service bulletin. If the service bulletin specifies to contact the manufacturer for appropriate action: Before further flight, repair per a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, or